

{In Archive} Re: Fw: Pineview Estates

Rich Campbell

to:

Aaron Setran

12/15/2010 10:09 AM

Cc:

David Albright

Hide Details

From: Rich Campbell/R9/USEPA/US

To: Aaron Setran/R9/USEPA/US@EPA,

Cc: David Albright/R9/USEPA/US@EPA

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Archive: This message is being viewed in an archive.

Yes.

-----Aaron Setran/R9/USEPA/US wrote: -----

To: Rich Campbell/R9/USEPA/US@EPA

From: Aaron Setran/R9/USEPA/US

Date: 12/15/2010 10:02AM

Cc: David Albright/R9/USEPA/US@EPA

Subject: Fw: Pineview Estates

Rich:

The NOV I'm drafting regarding Pineview has Robert Lapp as the President of the HOA, and the HOA as the "operator". Could you check in w/ Judy Sheldrew regarding the current status of the HOA, its incorporation, etc. Thanks, A

Her phone number is (775) 782-7933

Aaron Carr Setran
U.S. EPA, Water Division
75 Hawthorne St.
San Francisco, CA 94105
(415) 972-3457

----- Forwarded by Aaron Setran/R9/USEPA/US on 12/15/2010 10:03 AM -----

From: "Judy M. Sheldrew" <jsheldrew@nevada-law.us>

From:

Aaron Setran/R9/USEPA/US@EPA

To:

12/07/2010 11:07 AM

Date:

Re: Pineview Estates

Subject:

Mr. Setran: I am sorry that I was unable to return your telephone call the other day. The Pine View

Estates is a development of single family residences built on long term leases subdivided and sublet by PTP, Inc., on the basis of a master lease from Mark Kizer. Mr. Kizer is the beneficiary of a trust in which the United States, acting through the Bureau of Indian Affairs, is the trustee. Because the land is subject to federal jurisdiction, the BIA conducted the development review without state or local government involvement, other than by comment. To my knowledge, the HOA has not "inherited" the utility infrastructure from PTP, Inc., nor would I advise my clients to accept the infrastructure until the responsibilities of the BIA, Mr. Kizer and PTP, Inc. to the homeowners of Pine View Estates can be determined as well as the status and cost of operating, maintaining and improving the utilities. Please call if there are further questions. Judy Sheldrew, Esq.

From: Setran.Aaron@epamail.epa.gov

Sent: Tuesday, December 07, 2010 9:01 AM

To: howard@howdal.com

Cc: Campbell.Rich@epamail.epa.gov ; Albright.David@epamail.epa.gov ; jsheldrew@nevada-law.us

Subject: Pineview Estates

Mr. Yarborough:

I've had recent conversations with the BIA and Pineview Estates HOA, both of which have indicated that PTP Inc. and Leon Mark Kizer are the current owners of the wastewater infrastructure at the Pineview Estates. During a telephone conversation with you earlier this month, I thought you told me that the HOA inherited the infrastructure by way of an earlier agreement specified in a "master lease" signed by all parties some years back.....however, I may have been confused as the matter is a bit complicated. I'd like to set-up a conference call with you to discuss this issue, and I would like to arrange it so that Richard Campbell (EPA attorney) and Mr. Kizer can also participate. Please give me a call so that we can discuss arranging such a call. Thanks in advance, Aaron

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From:	"Howard Yarborough" < howard@howdal.com >
To:	Aaron Setran/R9/USEPA/US@EPA
Date:	11/22/2010 03:44 PM
Subject:	RE: BIA contact

Mr. Setran:

The meeting I attended on September 15, 2010 was chaired by Mr Daniel Allen, but the Homeowners Association elected a new Board of Directors and assumed responsibility for managing Pine View Estates in September, 2009. The Attorney for the H/O Association is Judy Sheldrew, Esq. who works for the law office of Karen Winters in Minden NV. Her phone number is (775) 782-7933.

I hope this information is helpful.

Howard

From: Setran.Aaron@epamail.epa.gov [<mailto:Setran.Aaron@epamail.epa.gov>]
Sent: Monday, November 22, 2010 2:27 PM
To: howard@howdal.com
Subject: BIA contact

Mr. Yarborough:

Thank you for your call this afternoon. Do you by chance have the name of the BIA representative who chaired/attended the meeting for which the Pineview HOA was transferred responsibility for the sewer infrastructure from PTP, Inc. Thank you in advance for your response, Aaron

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----- Forwarded by Aaron Setran/R9/USEPA/US on 11/22/2010 02:25 PM -----

From:	Aaron Setran/R9/USEPA/US
To:	howard@howdal.com
Date:	11/18/2010 03:17 PM
Subject:	PTP, Inc

Mr. Yarborough:

As a follow-up to my v-mail message, you are listed as the current secretary for PTP, Inc. via the Nevada Secretary of State Information System. EPA is trying to determine if PTP, Inc. is still a viable entity as they are listed as a "permittee" to an Underground Injection Control permit issued to Pineview Estates. EPA is aware that Mr. May, former president of PTP, Inc., passed away some time ago, and we are not sure if PTP, Inc. continued to exist given the circumstances.

EPA is considering the revocation of the subject permit at Pineview Estates and would be required to formally notify PTP, Inc., of this proposed action since they are listed as the "permittee", along with Mr. Leon Mark Kizer of Gardnerville, NV. Any information you could provide would be of assistance to EPA in this matter. If you have any questions/concerns regarding this request please feel free to contact me. Thank you, Aaron

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